

REMARKS/ARGUMENTS

Claims 1-27 remain pending in the present application. Claims 1, 3, 5, 6, 10, 12, 14, 16, 19, 26 and 27 have been amended. Claims 28-47 were previously withdrawn, in response to a May 26, 2004 restriction requirement.

In the November 18, 2004 Office Action, Claims 1-4, 11-15, 20, 26 and 27 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,256,482 to Raab (hereinafter referred to as “Raab”). Claims 5-10 and 16-19 were objected to for depending on rejected base claims, but were indicated as being allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. Finally, Claims 21-25 were allowed.

Applicant respectfully requests reconsideration of the claims in view of the above amendments and the comments below.

***35 U.S.C. § 102(e) Claim Rejections -- Claims 1-4, 11-15, 20, 26 and 27***

In the Office Action, Claims 1-4, 11-15, 20, 26 and 27 were rejected under 35 U.S.C. § 102(e) for allegedly being anticipated by Raab. For the following reasons, Applicant respectfully disagrees.

Raab discloses an RF power amplifier circuit that includes an RF driver amplifier, an amplitude modulator for the final amplifier, and a means for determining the supply-voltage input to the final amplifier and for controlling the amplitude of the drive.

By contrast, independent Claim 1 of the present invention claims a “method of producing an amplitude modulated communications signal” in which “at least one stage”

of an amplifier produces an “amplitude modulated communications signal in response to [a] carrier signal and [an] amplitude modulation signal,” wherein “a signal magnitude of the amplitude modulated communications signal at a given instant” is “dependent on both a signal magnitude of the carrier signal and a signal magnitude of [a] power supply input signal.”

Despite what is asserted in the Office Action, Raab does not teach producing an amplitude modulation communications signal having a magnitude that is “dependent on both a signal magnitude of [a] carrier signal and a signal magnitude of [a] power supply input signal.” The RF amplifier 44 is a switch-mode amplifier, which generates an output signal 45 having a level that depends only on the power supply VDDRF signal applied to the power supply input of the amplifier 44. The RF output 45 of switch-mode amplifier 44 does not depend on the magnitude of signal 43A. For at least this reason, therefore, Raab does not anticipate Claim 1 of the present application.

Independent Claim 12 of the present application similarly recites that the “a signal magnitude of the amplitude modulated communications signal at a given instant being dependent on both a signal magnitude of the carrier signal and to a signal magnitude of the power supply input signal.” As just explained, Raab fails to teach producing an amplitude modulation communications signal having a magnitude that is “dependent on both a signal magnitude of [a] carrier signal and a signal magnitude of [a] power supply input signal.” For at least this reason, therefore, Raab does not anticipate Claim 12 of the present application.

Independent Claim 26 of the present application claims a communications apparatus having an “amplitude varying circuit” that “produc[es] a modified constant-envelope carrier signal...” and an “amplification chain including at least one stage configured to receive the modified constant-envelope carrier signal and an amplitude modulation signal and amplify the modified constant-envelope carrier signal to produce a communications signal having amplitude modulation and having an average output power proportional to a signal level of the modified constant-envelope carrier signal.”

Raab does not disclose an amplification chain that is “configured to receive [a] modified constant-envelope carrier signal...to produce a communications signal having amplitude modulation and having an average output power proportional to a signal level of the modified constant-envelope carrier signal.” In the Office Action, it is asserted that the signal applied to the input of amplifier 81 in Figure 9 of Raab is a “modified constant-envelope carrier signal.” Applicant respectfully disagrees. The signal applied to the input of amplifier 81 in Raab does not have a “constant-envelope”. The varying power supply applied to the switch mode driver 80 modifies the envelope of the signal applied to the driver 80, thereby producing a signal having a varying envelope. Further, the final amplifier 81 does not produce an average output power that “depends on a signal magnitude of [a] modified constant-envelope carrier signal.” As described above, in response to the rejections of independent Claims 1 and 12, the output power of the switch mode power amplifier 81 does not depend on the signal magnitude of the signal at its input.

For at least the foregoing reasons, Raab does not anticipate Claim 26 of the present application. Substantially the same reasons apply to the rejection of independent Claim 27.

The remaining claims all depend from independent Claims 1, 12, 26 and 27. Accordingly, they derive patentability for depending on what appears to be allowable base claims.

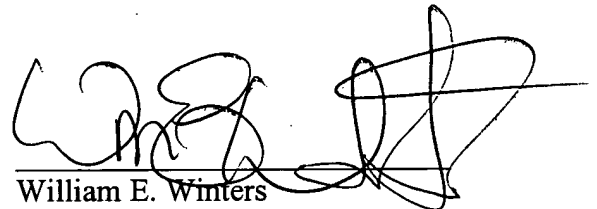
CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 408-282-1857.

Respectfully submitted,

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